

Local AO 440 (Rev. 01/23) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of North Dakota

States of West Virginia; North Dakota; Georgia; Iowa; Alabama;
Alaska; Arkansas; Florida; Indiana; Kansas; Louisiana;
Mississippi; Missouri; Montana; Nebraska; New Hampshire; Ohio;
Oklahoma; South Carolina; South Dakota; Tennessee; Utah; the
Commonwealth of Virginia; and Wyoming;

Plaintiff

v.

U.S. ENVIRONMENTAL PROTECTION AGENCY; MICHAEL S. REGAN, In His Official
Capacity as Administrator of the U.S. Environmental Protection Agency; U.S. ARMY CORPS
OF ENGINEERS; MICHAEL L. CONNOR, In His Official Capacity as Assistant Secretary of
the Army for Civil Works; LTG SCOTT A. SPELLMON, In His Official Capacity as Chief of
Engineers and Commanding General, U.S. Army Corps of Engineers;

Defendant

Civil Action No. 3:23-cv-32

SUMMONS IN A CIVIL ACTION

To: Above Named Defendant(s)

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Margaret I. Olson
Attorney General's Office - Civil Litigation
500 N 9th St.
Bismarck, ND 58501-4509

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

KARI M. KNUDSON, CLERK OF COURT

/s/ Sarah Cook, Deputy Clerk

Date: February 16, 2023



Signature of Clerk or Deputy Clerk

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Civil Action No. 3:23-cv-00032-ARS

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Lt Gen Scott A. Spellmon, Chief of Engineers
 was received by me on *(date)* 02/16/2023 .

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☒ Other *(specify)*: I served the summons by Certified Mail Return / Receipt Requested on:
 Lt Gen Scott A. Spellmon, Chief of Engineers & Commanding General
 441 G Street N.W., Rm 6P90
 Washington, D.C. 20314-1000

My fees are \$ 0.00 for travel and \$ 0.00 for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date:

02/21/2023*Server's signature*Cathie Hoffman, Legal Secretary*Printed name and title*

WV Attorney General's Office
 1900 Kanawha Blvd. E, Bldg 1, Rm 26E
 Charleston, WV 25305

Server's address

Additional information regarding attempted service, etc:

cc: The Attorney General of the United States
 United States Department of Justice
 950 Pennsylvania Avenue, N.W.
 Washington, D.C. 20530-0001

Civil Process Clerk for the U.S. Attorney
 for the District of North Dakota
 Quentin N. Burdick United States Courthouse
 U.S. Attorney's Office
 655 First Avenue North, Suite 250
 Fargo, ND 58102-4932

All copies of the complaint and summons were sent by certified mail to the three above addresses on February 17, 2023. Mailings were delivered on February 21, 2023.